

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK**

JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

v.

BANK OF NEW YORK, etc., et al.

Defendants.

J. P. MORGAN CHASE & CO., etc. et al.

Third-Party Plaintiffs,

v.

ELIZABETH MURPHY, etc., et al.,

Third-Party Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/9/12

Case No.: 09 Civ 5900 (MHD)

MEMO ENDORSED

**MOTION OF THIRD PARTY
DEFENDANTS
ELIZABETH MURPHY, et al.,
FOR ENLARGEMENT OF
TIME TO PLEAD OR
OTHERWISE RESPOND TO
SUPPLEMENTAL THIRD PARTY
COMPLAINT**

THIRD PARTY DEFENDANTS ELIZABETH MURPHY et al. (hereinafter the "Third Party Defendants"), by counsel, hereby move for an enlargement of time to file a responsive pleading or other response to the Supplemental Third Party Complaint of J. P. MORGAN CHASE, etc., et al. to and including July 20, 2012, on the following grounds:

1. Counsel for Third Party Plaintiffs have given their consent to the relief sought by this motion.

2. Elizabeth Murphy and the other Third Party Defendants are judgment creditors believed to have an interest in the subject matter of this action. They have been represented by counsel in the District of Columbia in related matters continuously since prior to 2006. Defendants' District of Columbia counsel have been on extended travel

during the latter half of June. Local counsel (undersigned) is traveling currently, and has been for several days prior to the filing deadline, and has not had an opportunity to discuss the Supplement Third Party Complaint with defendants' District of Columbia counsel. All such travel was arranged and paid for prior to the filing of the Supplemental Third Party Complaint. There is no other member of the bar of this Court to appear on behalf of the Third Party Defendants.

3. In the past week, on or about June 27, 2012, counsel were served with an additional Supplemental Third Party Complaint in this action, filed by Citibank, N.A. Counsel have not had a sufficient opportunity to analyze the latest Supplemental Third Party Complaint, review other pleadings on the docket in this matter, or compare the two Supplemental Third Party Complaints to which they must respond.

4. For these reasons, and with the consent of counsel for the Third-Party Plaintiffs, the Third Party Defendants respectfully move for an enlargement of time to Friday, July 20, 2012, to plead or otherwise respond to the Supplemental Third Party Complaint.

Respectfully submitted,

/s/ Steven Barentzen
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Attorneys for Third Party Defendants Murphy,
Estate of Rich, Harris, Ybarra, L'Heureux,
L'Heureux, L'Heureux, and Wells

(cont.)

*application granted
So ordered
Hon. P. Allison
7/9/12*

Copy to:

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* Washington, D.C. counsel will move for admission *pro hac vice*

Certificate of Service

I certify under penalty of perjury that on July ~~6~~⁷, 2012, I served a copy of the foregoing motion on the interested parties by electronic means via the Court's ECF system.

/s/ Steven Barentzen
Steven Barentzen

Attorney for Third Party Defendants